

I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

FILED MAR 10 2005

By:



4.B. No. 2627

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements for issuance of a barbershop
permit.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1601.303, Occupations Code, is amended
to read as follows:

Sec. 1601.303. ISSUANCE OF BARBERSHOP PERMIT. The board
shall issue a barbershop permit to an applicant if:

(1) the applicant is an owner of the shop ~~[holds a
Class A barber certificate,~~

~~[(2) the applicant has practiced barbering for at
least 12 months]~~; and

(2) ~~[(3)]~~ the shop meets the minimum health standards
for barbershops set by the board and complies with all other rules
of the board.

SECTION 2. The change in law made by this Act applies only
to an application for a barbershop permit filed under Chapter 1601,
Occupations Code, on or after the effective date of this Act. An
application for a permit filed before that date is governed by the
law in effect at the time the application was filed, and the former
law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2005.

HOUSE COMMITTEE REPORT

05 APR 25 PM 10:02
HOUSE OF REPRESENTATIVES

1st Printing

By: Moreno of El Paso

H.B. No. 2627

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H.B. No. 2627

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COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

4.11.2005
(date)

Sir:

We, your COMMITTEE ON GOVERNMENT REFORM

to whom was referred H.B. 2627 have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.
☐ do pass, with amendment(s).
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
☒ yes ☐ no A fiscal note was requested.
☐ yes ☒ no A criminal justice policy impact statement was requested.
☐ yes ☒ no An equalized educational funding impact statement was requested.
☐ yes ☒ no An actuarial analysis was requested.
☐ yes ☒ no A water development policy impact statement was requested.
☐ yes ☒ no A tax equity note was requested.
☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Uresti, Chair	<input checked="" type="checkbox"/>			
Otto, Vice-chair	<input checked="" type="checkbox"/>			
Davis	<input checked="" type="checkbox"/>			
Frost	<input checked="" type="checkbox"/>			
Gonzales	<input checked="" type="checkbox"/>			
Hunter	<input checked="" type="checkbox"/>			
Veasey	<input checked="" type="checkbox"/>			

Total

7 aye
0 nay
0 present, not voting
0 absent

CHAIR

P. J. Bush

BILL ANALYSIS

H.B. 2627
By: Moreno, Paul
Government Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Occupations Code will allow the issuance of a barbershop permit to an applicant only if the applicant holds a Class A barber certificate; has practiced barbering for at least 12 months; and the shop meets the minimum standards. In some smaller Texas communities, these requirements can impede the issuance of much needed barbershop permits. H.B. 2627 amends the code to facilitate the issuance of certificates in smaller communities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2627 amends the Occupations Code by adding a provision allowing for an owner of a barbershop to have a barbershop permit issued to him or her; it deletes the provision of the Occupations Code that requires the person receiving a barbershop permit to hold a Class A barber certificate and have practiced barbering for at least 12 months. The bill also adds language clarifying that the shop for which a permit would be issued must comply with all other rules of the board.

EFFECTIVE DATE

September 1, 2005.

SUMMARY OF COMMITTEE ACTION

HB 2627

April 4, 2005 1:00PM or upon final adjourn./recess

Considered in public hearing

Testimony taken in committee (See attached witness list.)

Left pending in committee

April 11, 2005 1:30PM or upon final adjourn./recess

Considered in public hearing

Reported favorably without amendment(s)

2

+

WITNESS LIST

HB 2627
HOUSE COMMITTEE REPORT
Government Reform Committee

April 4, 2005 - 1:00PM or upon final adjourn./recess

For: Connor, Linda (Self and Texas Assoc. of Tonsorial
Artists)
On: Daniels, Jerry (Texas State Board of Barber Examiners)

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 1, 2005

TO: Honorable Carlos Uresti, Chair, House Committee on Government Reform

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2627 by Moreno, Paul (Relating to certain requirements for issuance of a barbershop permit.), **As Introduced**

No significant fiscal implication to the State is anticipated.

According to the Board of Barber Examiners, current barber shop owners who do not have a certificate have a barber co-sign for a barber shop permit as a barber manager. With provisions of the bill, it is not estimated to significantly change the number of barber shop permits.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, the bill would take effect September 1, 2005.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 502 Board of Barber Examiners

LBB Staff: JOB, LB, DE

F

2ND READING
ENGROSSMENT

By: Moreno of El Paso

H.B. No. 2627

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11 [~~(2) the applicant has practiced barbering for at~~
12 ~~least 12 months~~]; and

13 (2) [~~(3)~~] the shop meets the minimum health standards
14 for barbershops set by the board and complies with all other rules
15 of the board.

16 SECTION 2. The change in law made by this Act applies only
17 to an application for a barbershop permit filed under Chapter 1601,
18 Occupations Code, on or after the effective date of this Act. An
19 application for a permit filed before that date is governed by the
20 law in effect at the time the application was filed, and the former
21 law is continued in effect for that purpose.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 2627

- 1 Act does not receive the vote necessary for immediate effect, this
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HOUSE ENGROSSMENT

By: Moreno of El Paso

H.B. No. 2627

A BILL TO BE ENTITLED

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 1, 2005

TO: Honorable Carlos Uresti, Chair, House Committee on Government Reform

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2627 by Moreno, Paul (Relating to certain requirements for issuance of a barbershop permit.), As Introduced

No significant fiscal implication to the State is anticipated.

According to the Board of Barber Examiners, current barber shop owners who do not have a certificate have a barber co-sign for a barber shop permit as a barber manager. With provisions of the bill, it is not estimated to significantly change the number of barber shop permits.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If the bill does not receive the vote necessary for immediate effect, the bill would take effect September 1, 2005.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 502 Board of Barber Examiners

LBB Staff: JOB, LB, DE

1-1 By: Moreno of El Paso (Senate Sponsor - Carona) H.B. No. 2627
1-2 (In the Senate - Received from the House May 10, 2005;
1-3 May 12, 2005, read first time and referred to Committee on Business
1-4 and Commerce; May 20, 2005, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; May 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to certain requirements for issuance of a barbershop
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1-15 (1) the applicant is an owner of the shop [~~holds a~~
1-16 ~~Class A barber certificate,~~

1-17 [~~(2) the applicant has practiced barbering for at~~
1-18 ~~least 12 months~~]; and

1-19 (2) [~~(3)~~] the shop meets the minimum health standards
1-20 for barbershops set by the board and complies with all other rules
1-21 of the board.

1-22 SECTION 2. The change in law made by this Act applies only
1-23 to an application for a barbershop permit filed under Chapter 1601,
1-24 Occupations Code, on or after the effective date of this Act. An
1-25 application for a permit filed before that date is governed by the
1-26 law in effect at the time the application was filed, and the former
1-27 law is continued in effect for that purpose.

1-28 SECTION 3. This Act takes effect immediately if it receives
1-29 a vote of two-thirds of all the members elected to each house, as
1-30 provided by Section 39, Article III, Texas Constitution. If this
1-31 Act does not receive the vote necessary for immediate effect, this
1-32 Act takes effect September 1, 2005.

1-33 * * * * *

FAVORABLE
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 2627
By Moreno, Paul / Carona
(Author/Senate Sponsor)
5/20/05
(date)

We, your Committee on BUSINESS AND COMMERCE, to which was referred the attached measure,
have on 5/19/05, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

- ☒ do pass and be printed
☐ do pass and be ordered not printed
☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no
A revised fiscal note was requested. ☐ yes ☒ no
An actuarial analysis was requested. ☐ yes ☒ no
Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Troy Fraser, Chairman	<input checked="" type="checkbox"/>			
Senator Kip Averitt, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Ken Armbrister			<input checked="" type="checkbox"/>	
Senator Kim Brimer	<input checked="" type="checkbox"/>			
Senator John Carona	<input checked="" type="checkbox"/>			
Senator Kevin Eltife	<input checked="" type="checkbox"/>			
Senator Craig Estes	<input checked="" type="checkbox"/>			
Senator Eddie Lucio	<input checked="" type="checkbox"/>			
Senator Leticia Van de Putte	<input checked="" type="checkbox"/>			
TOTAL VOTES	8	0	1	0

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken
Paul Moreno
COMMITTEE CLERK

Ty Fraser
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill
Retain one copy of this form for Committee files

BILL ANALYSIS

Senate Research Center
79R9463 JMM-F

H.B. 2627
By: Moreno, Paul (Carona)
Business & Commerce
5/18/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, the Occupations Code will allow the issuance of a barbershop permit to an applicant only if the applicant holds a Class A barber certificate, has practiced barbering for at least 12 months, and the shop meets the minimum standards. In some smaller Texas communities, these requirements can impede the issuance of much-needed barbershop permits.

H.B. 2627 amends the Occupations Code to facilitate the issuance of certificates in smaller communities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1601.303, Occupations Code, to require the State Board of Barber Examiners (board) to issue a barbershop permit to an applicant if the applicant is an owner of the shop and if the shop meets the minimum health standards for barbershops set by the board and complies with all other rules of the board. Deletes existing text providing criteria for an applicant to receive a barbershop permit.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2005.

WITNESS LIST

HB 2627

SENATE COMMITTEE REPORT

Business & Commerce

May 19, 2005 - 8:00AM

Registering, but not testifying:

On: Parker, Glenn Executive Director (Board of Barber Examiners), Austin, TX

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 13, 2005

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2627 by Moreno, Paul (Relating to certain requirements for issuance of a barbershop permit.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

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Local Government Impact

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Source Agencies: 502 Board of Barber Examiners

LBB Staff: JOB, CL, LB, DE

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 1, 2005

TO: Honorable Carlos Uresti, Chair, House Committee on Government Reform

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2627 by Moreno, Paul (Relating to certain requirements for issuance of a barbershop permit.), **As Introduced**

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Source Agencies: 502 Board of Barber Examiners

LBB Staff: JOB, LB, DE

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HB 2627, by Moreno, Paul / Carona,
(Bill No.) (Author/Sponsor)

was heard by the Committee on Business and Commerce on May 19,
2005,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.



(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

F

ENROLLED

H.B. No. 2627

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H.B. No. 2627

President of the Senate

Speaker of the House

I certify that H.B. No. 2627 was passed by the House on May 9, 2005, by the following vote: Yeas 140, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2627 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 2627 was passed by the House
(1)

on May 9, 2005, by the following vote:
(2)

Yeas 140, Nays 1, 2 present, not voting
(3) (4)

Chief Clerk of the House

I certify that H.B. No. 2627 was passed by the Senate

on May 25, 2005, by the following vote:
(5)

Yeas 31, Nays 0
(6) (7)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: CT24

H.B. No.

2627

A BILL TO BE ENTITLED
AN ACT

By

[Signature]

relating to certain requirements for issuance of a barbershop permit.

MAR 10 2005

Filed with the Chief Clerk

MAR 16 2005

Read first time and referred to Committee on Public Health

APR 11 2005

Reported favorably (~~as amended~~)
(~~unanimously~~)

APR 26 2005

Sent to Committee on (Calendars)
(~~Local & General Calendars~~)

MAY 05 2005

Read second time (~~amended~~) (~~amended~~); passed to third reading (~~failed~~) by a (non-record vote)
(~~record vote of~~ yeas, nays, present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of yeas, nays, present, not voting

MAY 09 2005

Read third time (~~amended~~); finally passed (~~failed to pass~~) by a (~~unanimous consent~~)
(record vote of 140 yeas, 1 ~~nays~~ 2 ~~nays~~ present, not voting)

Engrossed

MAY 10 2005

Sent to Senate

Robert Haney
CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

MAY 21 2005

Re-referred to the Committee on Government Reform

MAY 10 2005

Received from the House

BUSINESS AND
COMMERCE

MAY 12 2005

Read and referred to Committee on

MAY 20 2005

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

MAY 25 2005

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(yeas, nays)

MAY 25 2005

Read second time, , and passed to third reading by (unanimous consent)
(a viva voce vote)
(yeas, nays)

MAY 25 2005

Senate and Constitutional 3 Day Rules suspended by a vote of 31 yeas, 0 nays

MAY 25 2005

Read third time, , and passed by a (viva voce vote)
(31 yeas, 0 nays)

MAY 25 2005

Returned to the House

Latey Spaw
SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 25 2005

Returned from the Senate (~~as substituted~~)
(~~with amendments~~)

House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,
_____, _____, _____

Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

05 APR 25 PM 10:02

HOUSE OF REPRESENTATIVES